

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** Chair Edward Buttrey, on March 16, 2017 at 8:00 AM, in Room 422  
Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Edward Buttrey, Chair (R)  
Sen. Dee Brown, Vice Chair (R)  
Sen. Pat Connell (R)  
Sen. Tom Facey (D)  
Sen. Steve Fitzpatrick (R)  
Sen. Daniel R. Salomon (R)  
Sen. Jason D. Small (R)  
Sen. Frank Smith (D)  
Sen. Gordon Vance (R)  
Sen. Gene Vuckovich (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Jameson Walker, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 340, 3/13/2017; SB 344, 3/12/2017; SB 345, 3/12/2017  
Executive Action: Be Concurred In: HB 500; Be Concurred In As Amended:  
HB 198, HB 393  
Motion Withdrawn: HB 496, Amended, Be Concurred In As  
Amended Motion Withdrawn

00:00:02 Chair Buttrey

**HEARING ON SB 344**

**Opening Statement by Sponsor:**

00:01:28 Sen. Frederick (Eric) Moore (R), SD 19, opened the hearing on SB 344. A bill clarifying alcohol/gambling laws related to loan/security documentation.

**Proponents' Testimony:**

00:03:01 Michael Lawlor, attorney, Missoula

[EXHIBIT\(bus55a01\)](#)

00:10:33 Steve Turkiewicz, Montana Bankers Association (MBA)

00:13:10 John Iverson, Montana Tavern Association

00:14:04 Neil Peterson, Gaming Industry Association

00:14:46 Jim Brown, Montana Independent Bankers Association

**Opponents' Testimony:**

00:15:50 Shauna Helfert, Liquor Control Division, Department of Revenue (DOR)

**Informational Testimony:**

00:19:04 Angela Nunn, administrator, Gambling Control Division, Department of Justice

00:19:22 Melanie Hall, commissioner, Banking and Financial Division, Department of Administration

**Questions from Committee Members and Responses:**

00:19:45 Sen. Brown

00:21:59 Ms. Helfert, DOR

00:22:24 Chair Buttrey

00:22:52 Ms. Helfert

00:23:11 Sen. Facey

00:23:55 Mr. Turkiewicz, MBA

00:23:58 Sen. Brown

00:24:11 Chair Buttrey

00:24:33 Ms. Helfert

00:24:39 Chair Buttrey

**Closing by Sponsor:**

00:24:47 Sen. Moore

00:25:03 Chair Buttrey

**HEARING ON SB 345**

**Opening Statement by Sponsor:**

00:25:39 Sen. Cary Smith (R), SD 27, opened the hearing on SB 345. Provide for high deductible health insurance thru reimbursements and tax credits.

**Proponents' Testimony:**

00:32:06 Kris Hansen, chief legal counsel, Office of the Montana State Auditor,  
Commissioner of Securities and Insurance

00:34:22 Garrett Bacon, self

**Opponents' Testimony:**

00:35:28 Bill Lombardi, Blue Cross Blue Shield of Montana

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:36:41 Sen. Brown  
00:37:29 Sen. Smith  
00:38:18 Sen. Vuckovich  
00:38:49 Sen. Smith  
00:40:05 Sen. Facey  
00:40:09 Sen. Smith

**Closing by Sponsor:**

00:41:49 Sen. Smith

00:42:47 Chair Buttrey

**HEARING ON SB 340**

**Opening Statement by Sponsor:**

00:43:04 Sen. Cary Smith (R), SD 27, opened the hearing on SB 340. Authorize choice for out-of-state health care insurance.

**Proponents' Testimony:**

00:45:58 Kris Hansen, Office of the Montana State Auditor, Commissioner of Securities  
and Insurance

Chair Buttrey left the hearing. Vice Chair Brown assumed the role of chair.

00:47:05 Garrett Bacon, self  
00:48:25 David Herbst, Americans for Prosperity

**Opponents' Testimony:**

00:50:32 Al Smith, Montana Trial Lawyers Association

[EXHIBIT](#)(bus55a02)

01:00:25 Laura Terrill, vice president, External Affairs, Planned Parenthood of Montana

01:02:47 Jules Shindel, Montana Human Rights Network

**Informational Testimony:**

01:03:52 Bruce Spencer, America's Health Insurance Plan (AHIP)

[EXHIBIT](#)(bus55a03)

**Questions from Committee Members and Responses:**

01:05:19 Chair Brown

01:08:49 Sen. Smith

01:10:13 Sen. Facey

01:10:17 Chair Brown

01:10:56 Sen. Facey

01:12:10 Sen. Smith

01:12:59 Sen. Fitzpatrick

01:14:22 Mr. Spencer, AHIP

01:14:53 Chair Brown

01:15:13 Mr. Spencer

**Closing by Sponsor:**

01:15:31 Sen. Smith

01:19:36 Chair Brown

01:20:44 Sen. Facey

01:20:56 Chair Brown

01:21:24 Recess

02:01:09 Reconvened by Chair Buttrey

**EXECUTIVE ACTION ON HB 198**

02:01:14 **Motion:** Sen. D. Brown moved that **HB 198 BE CONCURRED IN.**

02:01:34 **Motion:** Sen. Facey moved that **HB 198 BE AMENDED.**

[EXHIBIT](#)(bus55a04)

**Discussion:**

02:01:47 Sen. Facey

02:02:54 Sen. Brown

02:03:22 **Vote:** Motion carried unanimously by voice vote.

02:03:26 **Motion:** Sen. D. Brown moved that **HB 198 BE AMENDED.**  
**EXHIBIT**(bus55a05)

**Discussion:**

02:03:38 Sen. Brown  
02:04:24 Sen. Connell  
02:05:10 Sen. Brown  
02:05:49 Sen. Facey  
02:06:10 Chair Buttrey  
02:06:43 Sen. Brown

02:07:12 **Vote:** Motion failed 5-5 by roll call vote with Sen. Brown, Sen. Facey, Sen. Fitzpatrick, Sen. Salomon and Sen. Vance voting aye.

02:08:13 **Motion:** Sen. D. Brown moved that **HB 198 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:08:22 Sen. Facey  
02:08:27 Chair Buttrey

02:08:33 **Vote:** Motion carried unanimously by voice vote. Sen. Facey will carry the bill.

**EXECUTIVE ACTION ON HB 393**

02:08:57 **Motion:** Sen. D. Brown moved that **HB 393 BE CONCURRED IN.**

02:09:14 **Motion:** Sen. D. Brown moved that **HB 393 BE AMENDED.**  
**EXHIBIT**(bus55a06)

02:09:26 Chair Buttrey  
02:09:48 Sen. Facey

02:09:59 **Vote:** Motion carried unanimously by voice vote.

**Discussion:**

02:10:21 Sen. Facey  
02:10:55 Sen. Brown  
02:12:03 Sen. Connell  
02:12:50 Sen. Small  
02:13:34 Sen. Brown  
02:14:20 Sen. Connell  
02:14:23 Sen. Small  
02:14:39 Sen. Facey  
02:14:51 Chair Buttrey

02:14:57 **Vote:** Motion carried 8-2 by roll call vote with Sen. Brown and Sen. Vance voting no. Sen. Small will carry the bill.

**EXECUTIVE ACTION ON HB 496**

02:15:50 **Motion:** Sen. D. Brown moved that **HB 496 BE CONCURRED IN.**

02:16:12 Chair Buttrey

02:16:18 **Motion:** Sen. D. Brown moved that **HB 496 BE AMENDED.**

**EXHIBIT(bus55a07)**

**Discussion:**

02:16:29 Sen. Brown  
02:17:09 Chair Buttrey  
02:17:14 Sen. Brown  
02:17:45 Sen. Smith

02:18:20 **Vote:** Motion carried 8-2 by voice vote with Sen. F. Smith and Sen. Vuckovich voting no.

02:18:34 **Motion:** Sen. D. Brown moved that **HB 496 BE CONCURRED IN AS AMENDED.**

**Discussion:**

02:18:53 Sen. Facey  
02:19:51 Sen. Small  
02:20:43 Sen. Brown  
02:22:11 Sen. Vuckovich  
02:22:56 Sen. Facey  
02:23:06 Sen. Connell  
02:23:50 Chair Buttrey  
02:24:09 Jameson Walker, Legislative Services Division (LSD)  
02:24:40 Sen. Connell  
02:24:48 Chair Buttrey  
02:24:55 Sen. Brown  
02:25:34 Chair Buttrey  
02:25:50 Sen. Vuckovich  
02:25:59 Sen. Facey  
02:26:54 Sen. Fitzpatrick  
02:27:50 Chair Buttrey  
02:28:15 Sen. Fitzpatrick  
02:28:30 Chair Buttrey  
02:28:51 Sen. Brown  
02:29:08 Sen. Fitzpatrick  
02:30:23 Sen. Facey  
02:30:57 Chair Buttrey

02:31:23 Without objection, Sen. D. Brown withdrew the BE CONCURRED IN AS AMENDED motion.

02:31:46 Chair Buttrey

**EXECUTIVE ACTION ON HB 500**

02:31:54 **Motion:** Sen. D. Brown moved that **HB 500 BE CONCURRED IN.**

**Discussion:**

02:32:19 Sen. Facey

02:32:22 **Vote:** Motion carried unanimously by voice vote. Sen. Vuckovich will carry the bill.

**Committee Bill:**

02:32:36 Chair Buttrey

02:32:40 Sen. Fitzpatrick

02:32:46 Jameson Walker, Legislative Services Division (LSD)

02:33:09 Sen. Connell

02:33:36 Sen. Brown

02:33:42 Chair Buttrey

**ADJOURNMENT**

Adjournment: 10:35 AM

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT**([bus55aad.pdf](#))